IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.50686 of 2007
RAM DAYAL SINGH & ANR
Versus
THE STATE OF BIHAR
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3. 05.05.2008 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in a Police case under Section 302, 120, 34 of the Penal Code.

The submission is that the allegations are omnibus, no individual overt act has been alleged, the witnesses, who are alleged to have named the petitioners, are family members.

Counsel for the State points out from paragraph 25 & 26 of the case diary that two independent witnesses of the village have also named the petitioners as part of the persons who were assaulting the deceased. The regular bail applications of two of them have already been rejected in Cr.Misc. No. 4238 of 2007 and Cr. Misc. No. 46653 of 2007.

The submission of suspicion only does not persuade this Court to grant them the privilege of anticipatory bail. The application is rejected.

` The court below shall consider the matter adequately in light of the orders of this Court without being prejudiced by the present order.

AKS/ (Navin Sinha, J.)

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